

# **Zoning Board of Adjustments**



**Cancelled by Quorum**  
**May 17, 2021**

**Regular Meeting**

# Wylie Zoning Board of Adjustment Regular Meeting

May 17, 2021 - 6:30 PM

Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



## CALL TO ORDER

### COMMENTS ON NON-AGENDA ITEMS

*Any member of the public may address the Board regarding an item that is not listed on the Agenda. Members of the public must fill out a form prior to the meeting in order to speak. The Board requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, the Board is not allowed to converse, deliberate or take action on any matter presented during citizen participation.*

### CONSENT AGENDA

*All matters listed under the Consent Agenda are considered to be routine by the Zoning Board of Adjustment and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

- A. Consider and act upon approval of the Minutes from the March 22, 2021 Special Called Meeting.

### REGULAR AGENDA

1. Hold a Public Hearing to consider and act upon a request by Shelly Tsai for a variance to Figure 4-3, Sections 4.3.E.1(a), 4.3.E.4(a) and Figure 5-3 of the Zoning Ordinance to allow for a reduction in the required setbacks, landscaping and parking for a re-development located at 501C N State Highway 78. **ZBA 2021-05**
2. Hold a Public Hearing to consider and act upon a request by Jessica Schrader for a variance to Section V.II.14 and Section V.II.15 of Planned Development 2002-52 to allow for a reduction in the required side and rear setbacks of accessories structures. Property located at 1512 Canyon Road. **ZBA 2021-06**
3. Hold a Public Hearing to consider and act upon a request by Kevin Foley for a variance to 5.2.J.8 of the Zoning Ordinance to allow for an independent self-contained dwelling unit as an accessory use within the structure of an office/showroom use. Property located at 25 Steel Road. **ZBA 2021-07**

### WORK SESSION

### RECONVENE INTO REGULAR SESSION

### EXECUTIVE SESSION

### RECONVENE INTO OPEN SESSION

*Take any action as a result from Executive Session.*

### ADJOURNMENT

### CERTIFICATION

I certify that this Notice of Meeting was posted on May 14, 2021 at 5:00 p.m. on the outside bulletin board at Wylie City Hall, 300 Country Club Road, Building 100, Wylie, Texas, a place convenient and readily accessible to the public at all times.

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Stephanie Storm, City Secretary

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Date Notice Removed

The Wylie Municipal Complex is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972-516-6020. Hearing impaired devices are available from the City Secretary prior to each meeting.

If during the course of the meeting covered by this notice, the Zoning Board of Adjustment should determine that a closed or executive meeting or session of the Board or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the Zoning Board of Adjustment at the date, hour and place given in this notice as the Zoning Board of Adjustment may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

§ 551.071 – Private consultation with an attorney for the City.

Cancelled lack of quorum

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Cancelled lack of quorum





# Zoning Board of Adjustment

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**Minutes  
Special Called Meeting  
March 22, 2021 – 6:30 p.m.  
Wylie Municipal Complex – Council Chambers  
300 Country Club Road, Bldg. 100  
Wylie, TX 75098**

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## **CALL TO ORDER**

*Announce the presence of a Quorum.*

Chair Byron Betler called the meeting to order at 6:30PM. and announced a quorum was present. Board Members in attendance; Chair Betler, Vice Chair Robert Blair, Board Member Shaun Chronister, Board Member Richard Covington, and Board Member Andrew Wight. Board Member Lance Kiser was in the audience, but did not participate.

Staff present were Mr. Jasen Haskins, Planning Manager, Mr. Kevin Molina, Senior Planner and Ms. Mary Bradley, Administrative Assistant II.

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## **CITIZENS COMMENTS ON NON-AGENDA ITEMS**

No one approached the Board Members.

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## **CONSENT AGENDA**

*All matters listed under the Consent Agenda are considered to be routine by the Board and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

**A. Consider and act upon approval of the Minutes for the January 18, 2021 Meeting.**

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## **Board Action**

A motion was made by Board Member Wight, and seconded by Vice Chair Blair, to approve the minutes as submitted. A vote was taken and carried 5 – 0.

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## **REGULAR AGENDA**

### **Public Hearing**

- 1. Hold a Public Hearing to consider and act upon a request by Fidelmar Miralrio for a variance to Section 2.5.C.2.C(4) of the Zoning Ordinance to allow for a reduction in the required side setbacks for an accessory structure from 15' to 3' at 600 Gateway Bend. ZBA 2021-03.**

### **Staff Comments**

Mr. Molina addressed the Board Members stating that the property is located at 600 Gateway Bend. The applicant is requesting a variance to the side setbacks for an accessory structure that was started without a permit. The applicant is replacing an old accessory structure with a 16 feet x 22 feet structure.

In review of the variance case, Staff discovered a five feet utility easement is on the property. Staff is recommending the side setback be five feet, which will keep the structure outside of the utility easement. The applicant is in agreement. Staff is recommending if variance is approved, to amend the setbacks from 3 feet to 5 feet.

The property is located on a corner lot, however is not adjacent to a neighboring home and is not placed in an area blocking vehicular visibility.

Public comment forms were mailed to eighteen property owners. Two comment forms were received in favor and no comment forms were received in opposition of the request.

### **Public Comments**

Chair Betler opened the public hearing asking anyone present wishing to address Board Members to come forward. With no one coming forward, Chair Betler closed the public hearing.

### **Board Action**

A motion was made by Board Member Chronister, and seconded by Board Member Wight, to grant the variance to Section 2.5.C.2.C(4) of the Zoning Ordinance to allow for a reduction in the required side setbacks for an accessory structure from 15 to 5' at 600 Gateway Bend. **ZBA 2021-03**. A vote was taken and carried 5 - 0.

- 2. Hold a Public Hearing to consider and act upon a request by Cary Albert for a variance to Sections 4.3.E.1(a), 4.3.E.4(a) and Figure 5-3 of the Zoning Ordinance to allow for a reduction in the required landscaping and parking for a new development located at 2588 W FM 544 ZBA 2021-04.**

### **Staff Comments**

Mr. Molina approached the Board Members stating that the property is located at 2588 W FM 544 and is currently zoned Planned Development Ordinance 2003-01.

The applicant is requesting three variances due to the Texas Department of Transportation acquiring an approximate 13 feet width of the street frontage for the widening of FM 544.

The variance to Section 4.3.E.1(a) will allow for a minimum width of 1.5 feet with a maximum width of 11.09 feet in lieu of the required 10 feet landscaped street buffer.

The variance to Section 4.3.E.4(a) will allow for a 15 percent in lieu of the required 20 percent landscape area.

The variance to Figure 5-3 of the Zoning Ordinance will allow 35 parking spaces in lieu of the 37 required parking spaces. The Woodbridge Centre shopping center has a reciprocal easement agreement that allows for the entire site to provide shared parking.

Public Comment forms were mailed to nine property owners. One comment form was received in favor and one comment form was received in opposition of the request.

### **Public Comments**

Chair Betler opened the public hearing asking anyone present wishing to address Board Members to come forward.

Mr. Cary Albert, 5622 Harbor Town, Dallas, applicant, stated that the Texas Department of Transportation acquired the property prior to development of the Woodbridge Centre shopping center, and was in place prior to him purchasing the land.

Drive access will be from adjacent properties on either side, allowing for traffic flow. The shared parking agreement allows parking within the entire shopping center.

Chair Betler closed the Public Hearing.

### **Board Action**

A motion was made by Board Member Wight, and seconded by Board Member Covington to grant the variances to Sections 4.3.E.1(a), 4.3.E.4(a) and Figure 5-3 of the Zoning Ordinance to allow for a reduction in the required landscaping and parking for a new development located at 2588 W FM 544. **ZBA 2021-04**. A vote was taken and carried 5 – 0.

### **ADJOURNMENT**

A motion was made by Chair Betler and seconded by Vice Chair Blair, to adjourn the meeting at 6:40PM. A vote was taken and carried 5 – 0.

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**Byron Betler, Chair**

**ATTEST:**

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**Mary Bradley**

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Cancelled lack of quorum



# Wylie Zoning Board of Adjustment

## AGENDA REPORT

**Meeting Date:** May 17, 2021  
**Department:** Planning  
**Prepared By:** Jasen Haskins, AICP  
**Date Prepared:** May 10, 2021

**Item Number:** 1  
**Case Number:** 2021-05  
**Project Location:** 501C N State Highway 78  
**Subdivision Name:** Railroad Addition  
**Exhibits:** Locator Map, Site Plans, Notification Map, Comments

### Subject

Hold a Public Hearing to consider and act upon a request by Shelly Tsai for a variance to Figure 4-3, Sections 4.3.E.1(a), 4.3.E.4(a) and Figure 5-3 of the Zoning Ordinance to allow for a reduction in the required setbacks, landscaping and parking for a re-development located at 501C N State Highway 78. ZBA 2021-05

### Discussion

**Applicant:** Shelly Tsai

**Owner:** Shelly Tsai

The subject property is located at 501C N State Highway 78 and is currently zoned Commercial Corridor.

The applicant is requesting to remodel an existing car wash by enclosing it and creating two commercial suites.

Remodel improvements render the site non-conforming with the current Zoning Ordinance requirements and requires an approval of variances to setbacks, landscaping and parking for work to begin.

The applicant is proposing to add landscaping on the southwest corner of the subject property. The requested variance is for 5% landscape coverage instead of the required 20% for commercially zoned districts. There is additional landscaping at the entrances, however that is on the DOT right-of-way (ROW) for SH78.

The applicant is proposing to provide 11 parking spaces, which should be adequate for most uses. However, there are some uses that may require two extra spaces. There is on street parking in City ROW to the south. Any use parked at 1 to 200 or more would be allowed if the variance is granted.

The applicant is requesting the rear and side setbacks of the building remain at 0'. The site was platted in the 1970's and developed in the 1980's so different development standards were in place at the time. Without a variance the structure and use could only remain a car wash.

A hardship may exist due to the shape and size of the lot. Due to the shape of the lot redevelopment would be limited to a structure smaller than what currently exists.

Site plan approval will be required by the Planning and Zoning Commission if this variance were to be approved.

Public comment forms were mailed to fourteen (14) property owners within 200 feet of this request, as required by State Law. At the time of posting no comment forms were returned in favor or in opposition of the request.

**The Board shall not grant a variance to the development code which:**

- (1) Permits a land use not allowed in the zoning district in which the property is located; or
- (2) Is in the public right-of-way or on public property; or

- (3) Alters any definition of the development code; or
- (4) Is other than the minimum variance that will afford relief with the least modification possible to the requirements of the development code; or
- (5) Is based on physical conditions or circumstances of the property so general or recurring in nature as to reasonably make practicable the formulation of a general regulation to be adopted as an amendment to the development code; or
- (6) Is based exclusively on findings of personal or financial hardship.

**In order to grant a variance to the development code the Board shall find that all the following have been satisfied:**

- (1) That there are unique physical circumstances or conditions of the lot, or other exceptional physical condition particular to the affected property;
- (2) That because of these unique physical circumstances or conditions, the property cannot be reasonably developed or used in compliance with the provisions of the development code;
- (3) That due to such unique physical circumstances or conditions, the strict application of the development code would create a demonstrated hardship;
- (4) That the demonstrable hardship is not self-imposed;
- (5) That the variance if granted will not adversely affect the proposed development or use of adjacent property or neighborhood;
- (6) That the variance, if granted will not change the character of the zoning district in which the property is located;
- (7) That the variance, if granted is in keeping with the intent of the development code; and
- (8) That the variance, if granted, will not adversely affect the health, safety or welfare of the citizens of Wylie.

**Approved By**

**Department Director**

*Initial*  
JH

*Date*  
May 12, 2021

Cancelled lack of quorum



# Locator Map

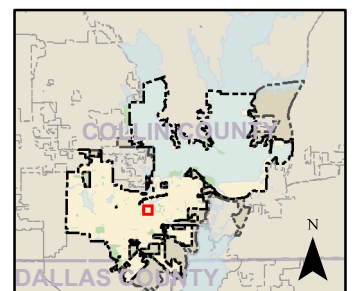


RAILROAD, BLK 11, LOT 1D & 2A



Subject Property

0 115 230 460 690 920 Feet





# SURVEY PLAT

THIS IS TO CERTIFY that I have, this date, made a careful and accurate survey, on the ground of property located at  
 No. 801 N. STATE HIGHWAY NO. 78 in the City of Dallas, County, Texas, Being led Block  
 SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF  
 an addition to the city of Dallas, Texas, according to the records of the County, Texas, and According to Community Panel No. 18085C - 0470 Rev. G. of the FEDERAL EMERGENCY MANAGEMENT AGENCY Flood Hazard Boundary or Flood Insurance Rate Maps dated 1-19-96 the subject property IS NOT located in a designated Zone A (Area of 100 Year Flood Plain).

ACCEPTED AND APPROVED

DATE

STATE HWY. NO. 78

N. STATE

N 50°31'00"E

N 00°58'30"W

16.69'

CONC. 0.9 OFF

X-FOUND

N. 4TH STREET

POINT OF BEGINNING

S 89°54'34"W

ASPHALT

E. MARBLE STREET

ASPHALT

FIRE HYDRANT

161.15'

198.00'

LOT

CONCRETE

S 89°54'34"W

21.07'

CONCRETE

1

69.54'

IRS

"X"-CUT

0.9 IN

S 00°54'56"E 65.00'

ONE STORY FRAME #503

X-5.5

X-6.3

IRS

P/P

ASPHALT

LOT

0.2557 ACRE

112.00

CARWASH

11.0

0.6 IN

148.00'

CENTERLINE POWER LINES

REVISED: 6/22/07

To: COMMONWEALTH LAND TITLE

GF No. 2232002120

Use of this survey by other parties and/or for other purposes shall be at user's risk and any loss resulting from other use shall not be the responsibility of the undersigned. AND the plat hereon is a correct and accurate representation of the property, lines and dimensions are as indicated, location and type of buildings are as shown, and EXCEPT AS SHOWN, all improvements are located within the boundaries the distances indicated, and EXCEPT AS SHOWN there are no visible and apparent encroachments or protrusions on the ground.

PURCHASER: KEANE

SCALE:

1"=20'

DATE:

6/22/07

JOB NO.:

207941

DRAWN BY:

pw

ALLIANCE LAND TITLE SURVEYS

2702 HILLGLEN RD.

DALLAS, TEXAS 75238

972-325-1904 FAX 972-325-1700



*Phil Nylis*

Phil Nylis - Registered Professional Land Surveyor No. 4653

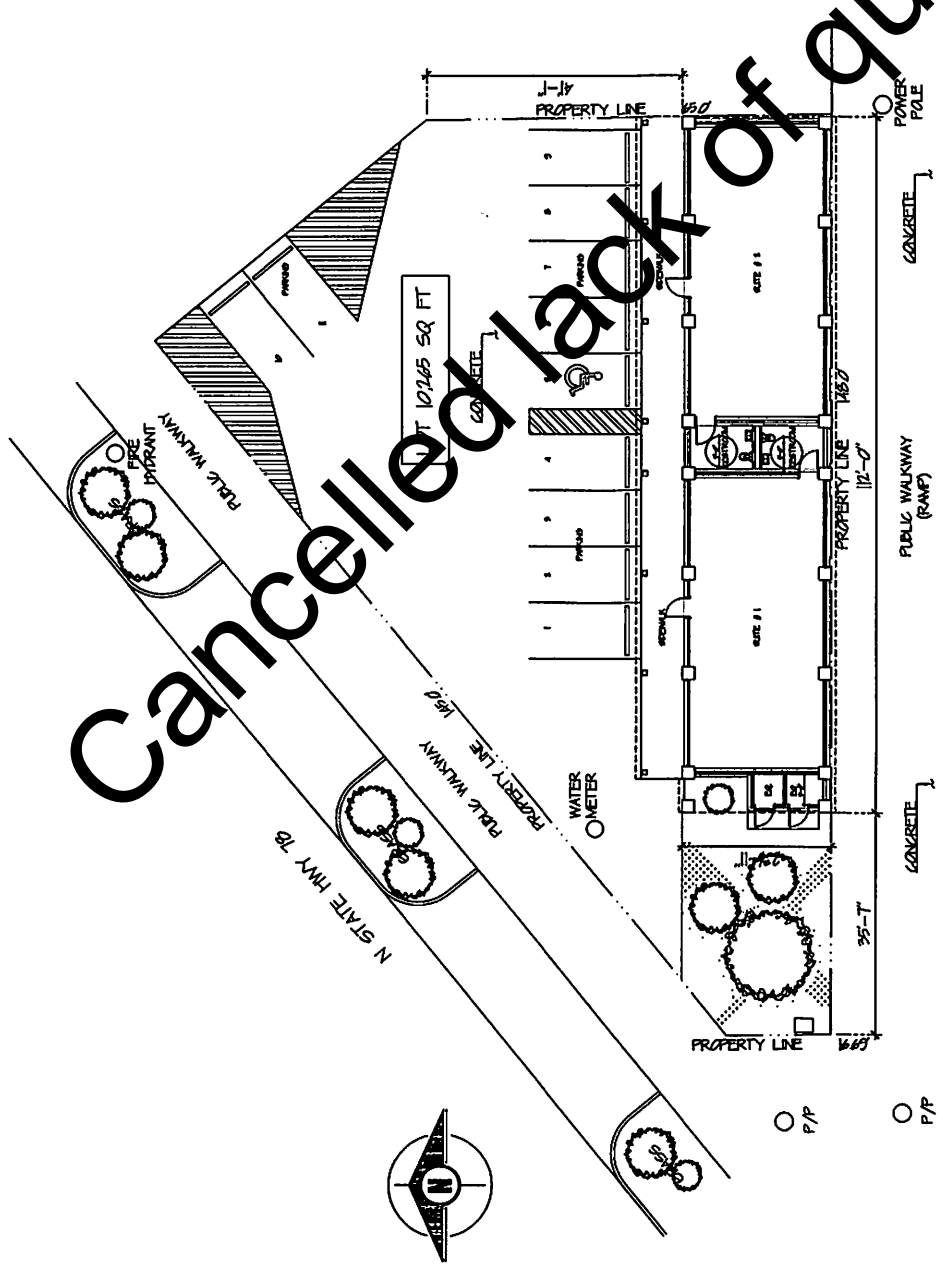




SCALE: 1 TO 20  
DATE: 03/26/2021  
PAGE: 1

ADDRESS: 501 N TX-78 HWY  
Wylie, TX 75098  
SCOPE OF WORK: C.O.

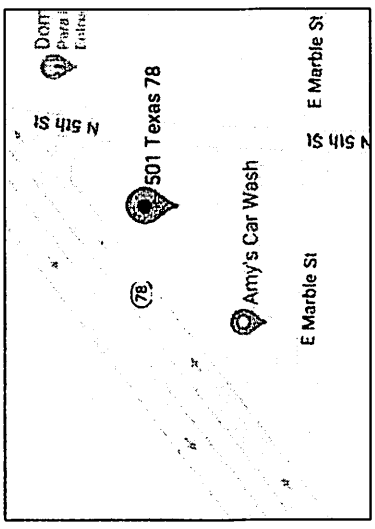
THIS PLAN IS NOT VALID FOR CONSTRUCTION UNLESS IT IS APPROVED BY THE CITY OF WYLIE, TEXAS. THE CITY OF WYLIE, TEXAS, DOES NOT ASSUME LIABILITY FOR ANY DAMAGES DUE TO ERRORS, OMISSIONS, OR DEFICIENCIES IN THIS PLAN. THE CITY OF WYLIE, TEXAS, DOES NOT ASSUME LIABILITY FOR ANY DAMAGES DUE TO ERRORS, OMISSIONS, OR DEFICIENCIES IN THIS PLAN. THE CITY OF WYLIE, TEXAS, DOES NOT ASSUME LIABILITY FOR ANY DAMAGES DUE TO ERRORS, OMISSIONS, OR DEFICIENCIES IN THIS PLAN.



E MARBLE STREET

SITE PLAN  
SCALE: 1 TO 20

REFERENCE MAP



LEGAL DESCRIPTION:

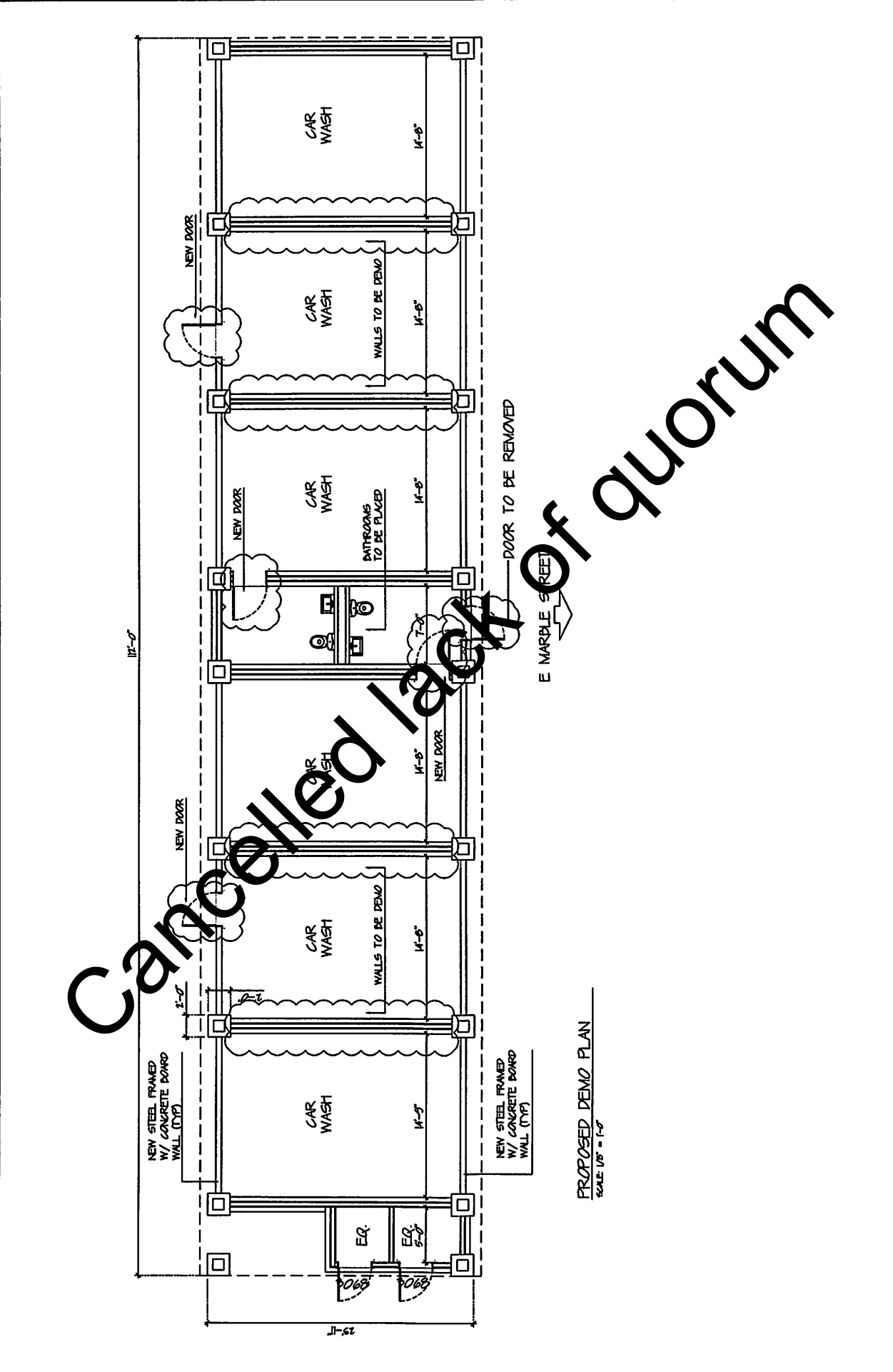
SQUARE FOOTAGE	
EXISTING CONSTRUCTION	2,677 SQ FT
LIVING AREA TO BE REMOD.	2,535 SQ FT
LOT SIZE	10,145 SQ FT
% COVERAGE	= 26%



SCALE: 1/8" = 1'-0"  
DATE: 03/28/2021  
PAGE: 2

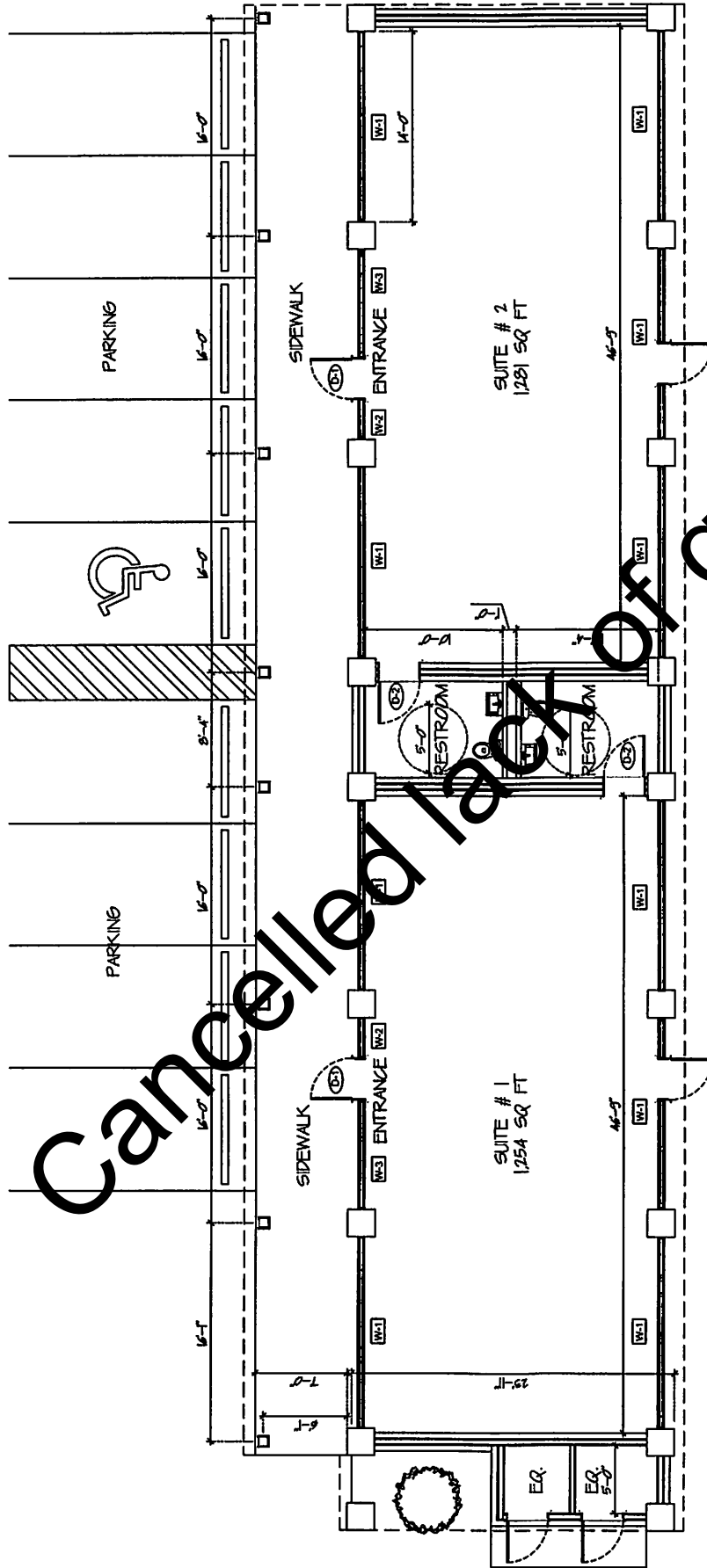
ADDRESS: 501 N TX-78 HWY  
Wylie, TX 75098  
SCOPE OF WORK: C.O.

THIS PLAN IS NOT BEING USED FOR CONSTRUCTION OF ANY BUILDING OR STRUCTURE. IT IS THE RESPONSIBILITY OF THE OWNER TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGES OR INJURIES TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS PLAN.



PROPOSED DEMO PLAN  
SCALE 1/8" = 1'-0"

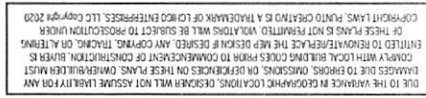
DUE TO THE VARIANCE IN GEOGRAPHIC LOCATIONS, DESIGNER WILL NOT ASSUME LIABILITY FOR ANY  
 DAMAGES DUE TO EXCESS CONDITIONS OR OBTAINMENTS ON THESE PLANS, OTHER THAN THE LATEST  
 COUNTY WITH LOCAL BUILDING DEPARTMENT TO CORRESPONDENCE OF CONSTRUCTION. GIVEN IS  
 LIMITED TO RECONSTRUCTION. THE DATE DESIGN IS DESIGNED, ANY CORRECTIONS, REVISIONS OR ALTERING  
 OF THESE PLANS WILL NOT BE PERMITTED. THIS PLAN SHALL BE SUBJECT TO PROSECUTION BY ANY  
 COPYRIGHT LAWS. PLANTO DESIGN IS A TRADEMARK OF LORNO ENTERPRISES, LLC. COPYRIGHT 2020



DOOR SCHEDULE				
1	2	3	4	5
TYPE	DIMENSIONS	CORE	FUNC.	DESC.
1	3'-0" X 7'-0"	SOLID WOOD	SWING	SINGLE SWING
2	3'-0" X 7'-0"	HOLLOW	SWING	SINGLE SWING
3				
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WINDOW SCHEDULE					
TAG	DIMENSIONS	U-FAC	SHGC	FUNC.	QTY.
Ww-1	14'-0" x 7'-8"	0.36	0.25	FIXED	10
Ww-2	3'-4" x 7'-8"	0.31	0.25	FIXED	2
Ww-3	7'-8" x 7'-8"	0.35	0.25	FIXED	2

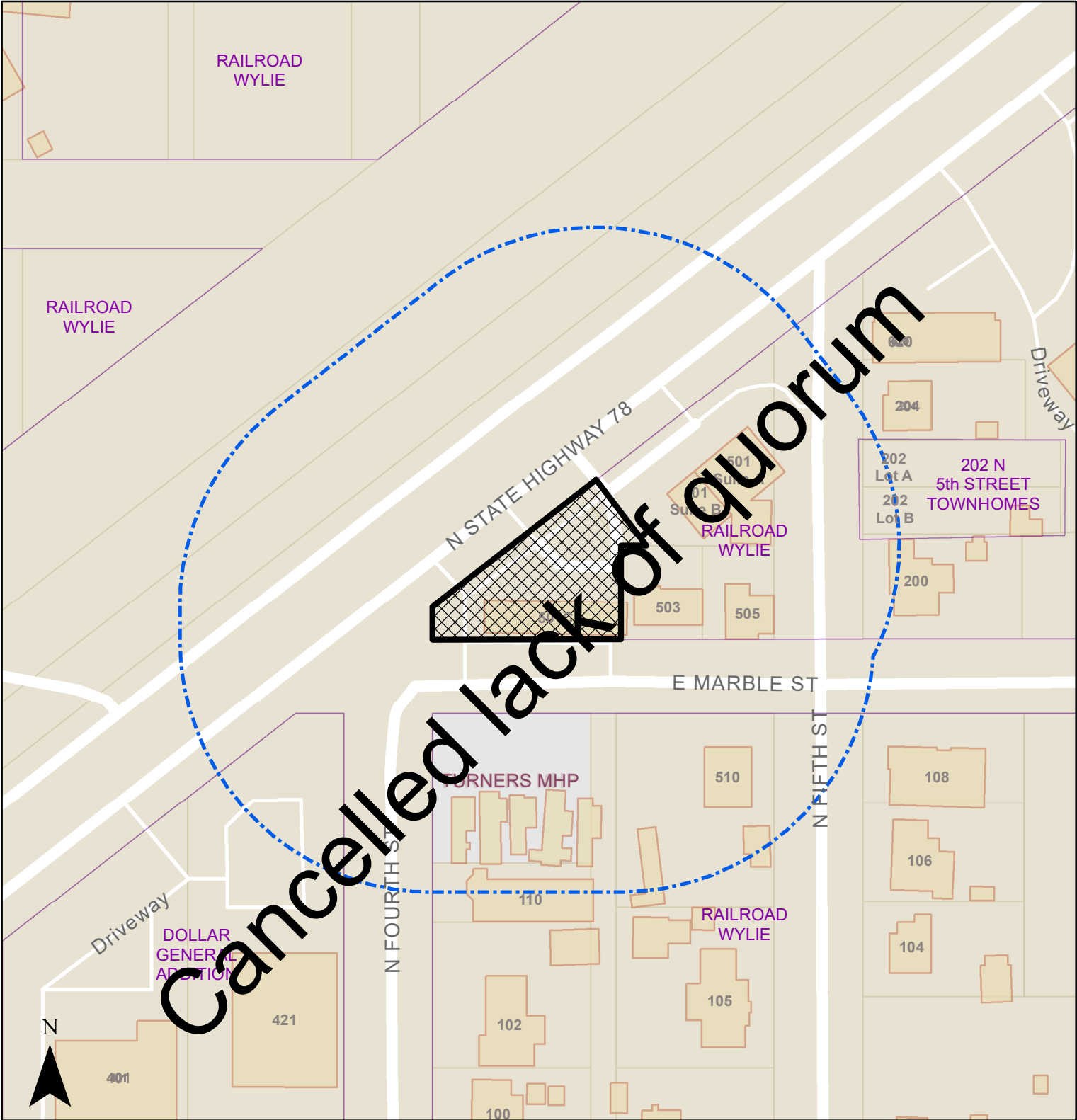
PROPOSED FLOOR PLAN  
SCALE: 1/8" = 1'-0"




Cancelled lack of quorum

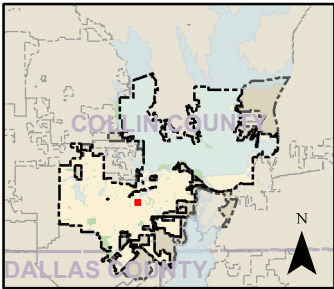
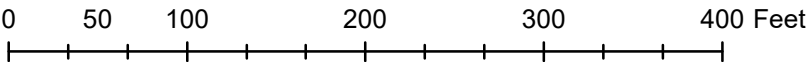
SCALE: 1/8" = 1'-0"

# Notification Map



RAILROAD, BLK 11, LOT 1D & 2A

 200 Foot Notifcation Buffer  Subject Property





# Wylie Zoning Board of Adjustment

## AGENDA REPORT

**Meeting Date:** May 17, 2021  
**Department:** Planning  
**Prepared By:** Kevin Molina  
**Date Prepared:** May 10, 2021

**Item Number:** 2  
**Case Number:** 2021-06  
**Project Location:** 1512 Canyon Creek Road  
**Subdivision Name:** Bozman Farm Estates  
**Exhibits:** Locator Map, Elevation, Notification Map, Comments

### Subject

Hold a Public Hearing to consider and act upon a request by Jessica Schrader for a variance to Section V.II.14 and Section V.II.15 of Planned Development 2002-52 to allow for a reduction in the required side and rear setbacks of accessory structures. Property located at 1512 Canyon Road. **ZBA 2021-06**

### Discussion

**Applicant: Jessica Schrader**

**Owner: Jessica Schrader**

The subject property is located at 1512 Canyon Road and is currently zoned within Planned Development 2021-06

The applicant is requesting to allow for a reduction in the allowed setbacks for accessory structures to 3' in the rear and 3' on the sides to allow for the placement of a 10'X12' pre-manufactured shed. The requested setbacks match the allowed setbacks of the Zoning Ordinance. However, a variance is requested because the Planned Development 2002-52 where the property is located has minimum accessory rear setbacks of 10% of the lot depth, being 12' for the subject property, and side setbacks of 5'.

The shed is proposed to match the shingle and siding colors of the primary structure.

Public comment forms were mailed to nineteen (19) property owners within 200 feet of this request, as required by State Law. At the time of posting one comment form was returned in favor and none in opposition of the request.

**The Board shall not grant a variance to the development code which:**

- (1) Permits a land use not allowed in the zoning district in which the property is located; or
- (2) Is in the public right-of-way or on public property; or
- (3) Alters any definition of the development code; or
- (4) Is other than the minimum variance that will afford relief with the least modification possible to the requirements of the development code; or
- (5) Is based on physical conditions or circumstances of the property so general or recurring in nature as to reasonably make practicable the formulation of a general regulation to be adopted as an amendment to the development code; or
- (6) Is based exclusively on findings of personal or financial hardship.

**In order to grant a variance to the development code the Board shall find that all the following have been satisfied:**

- (1) That there are unique physical circumstances or conditions of the lot, or other exceptional physical condition particular to the affected property;

- (2) That because of these unique physical circumstances or conditions, the property cannot be reasonably developed or used in compliance with the provisions of the development code;
- (3) That due to such unique physical circumstances or conditions, the strict application of the development code would create a demonstrated hardship;
- (4) That the demonstrable hardship is not self-imposed;
- (5) That the variance if granted will not adversely affect the proposed development or use of adjacent property or neighborhood;
- (6) That the variance, if granted will not change the character of the zoning district in which the property is located;
- (7) That the variance, if granted is in keeping with the intent of the development code; and
- (8) That the variance, if granted, will not adversely affect the health, safety or welfare of the citizens of Wylie.

**Approved By**

**Department Director**

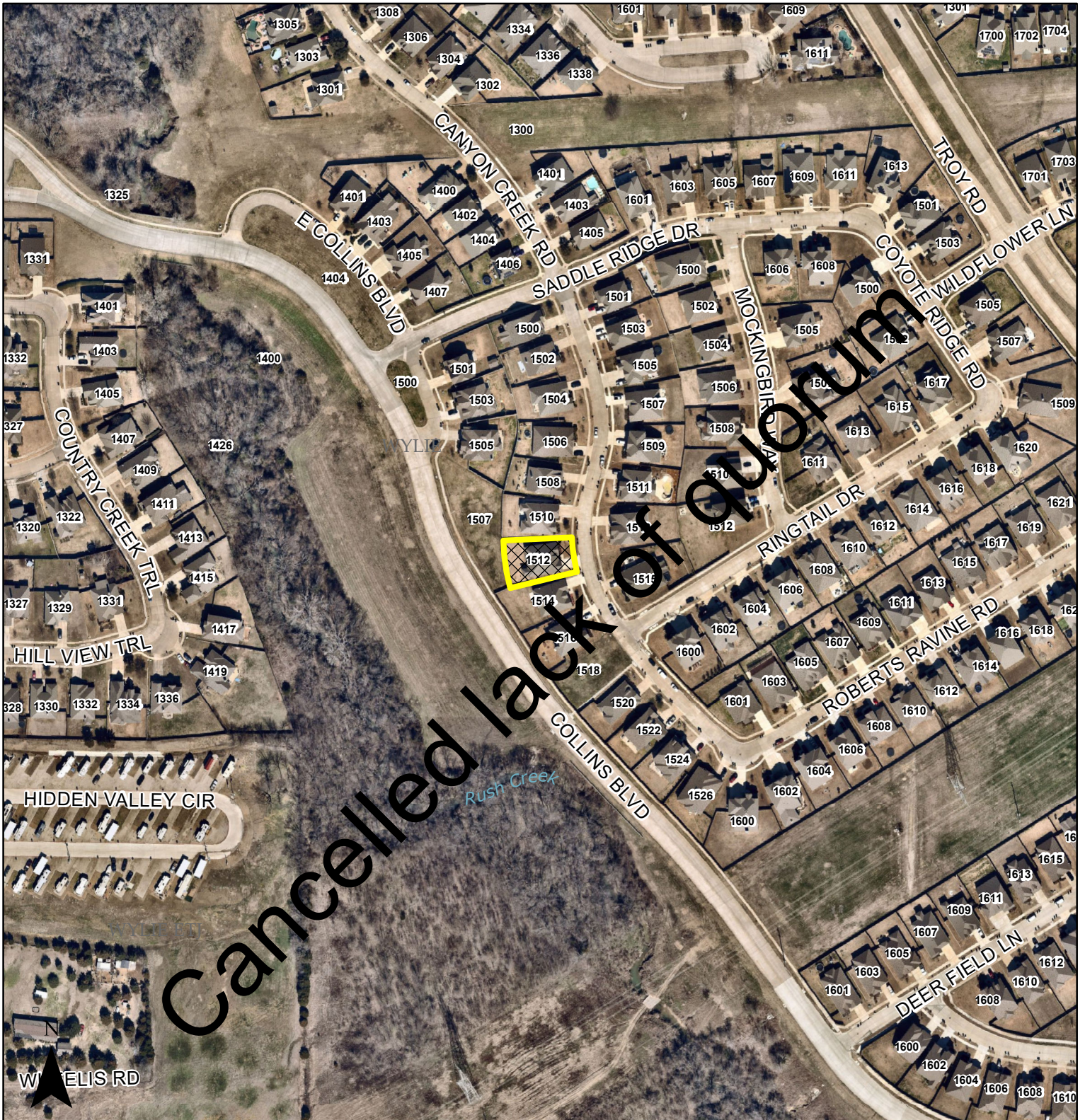
*Initial*  
JH

*Date*  
May 12, 2021

Cancelled lack of quorum



# Locator Map

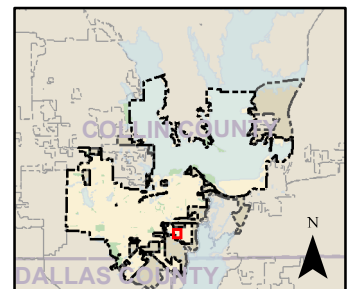


BOZMAN FARM ESTATES PHASE 3, BLK J, LOT 9

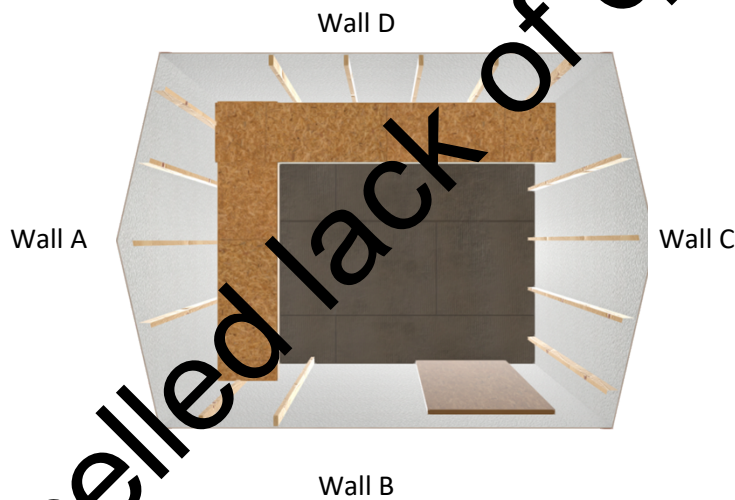
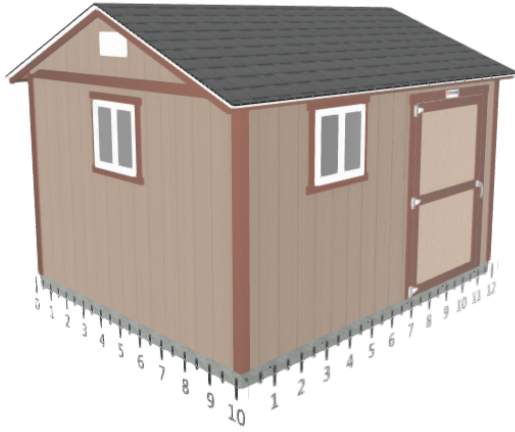


Subject Property

0 115 230 460 690 920 Feet







### Base Details

#### **Building Size & Style**

Premier Pro Ranch - 10' wide by 12' long

#### **Door**

4' x 6'2" Single Shed Door, Left Hinge Placement

#### **Paint Selection**

Base: Notorious, Trim: Warm Up

#### **Roof Selection**

Weathered Wood Dimensional Premium Shingle

#### **Drip Edge**

White

### Options Details

#### **Windows**

2 Ea 2'x2' Horizontal Sliding Window

#### **Floor and Foundation**

4 Ea Shed Anchor into Dirt - Dallas concrete & PA strap

#### **Interior**

22 Lin Ft 24" Workbench

#### **Vents**

2 Ea 16"x8" Wall Vent - White

#### **Workbench Locations**

Workbench on Side A, Side D at 39".

#### **Custom Services**

Permit

### Jobsite/Installer Details

**Do you plan to insulate this building after Tuff Shed installs it?**

No

**Is there a power outlet within 100 feet of installation location?**

Yes

**The building location must be level to properly install the building. How level is the install location?**

Within 4" of level

**Will there be 18" of unobstructed workspace around the perimeter of all four walls?**

Yes

**Can the installers park their pickup truck & trailer within approximately 200' of your installation site?**

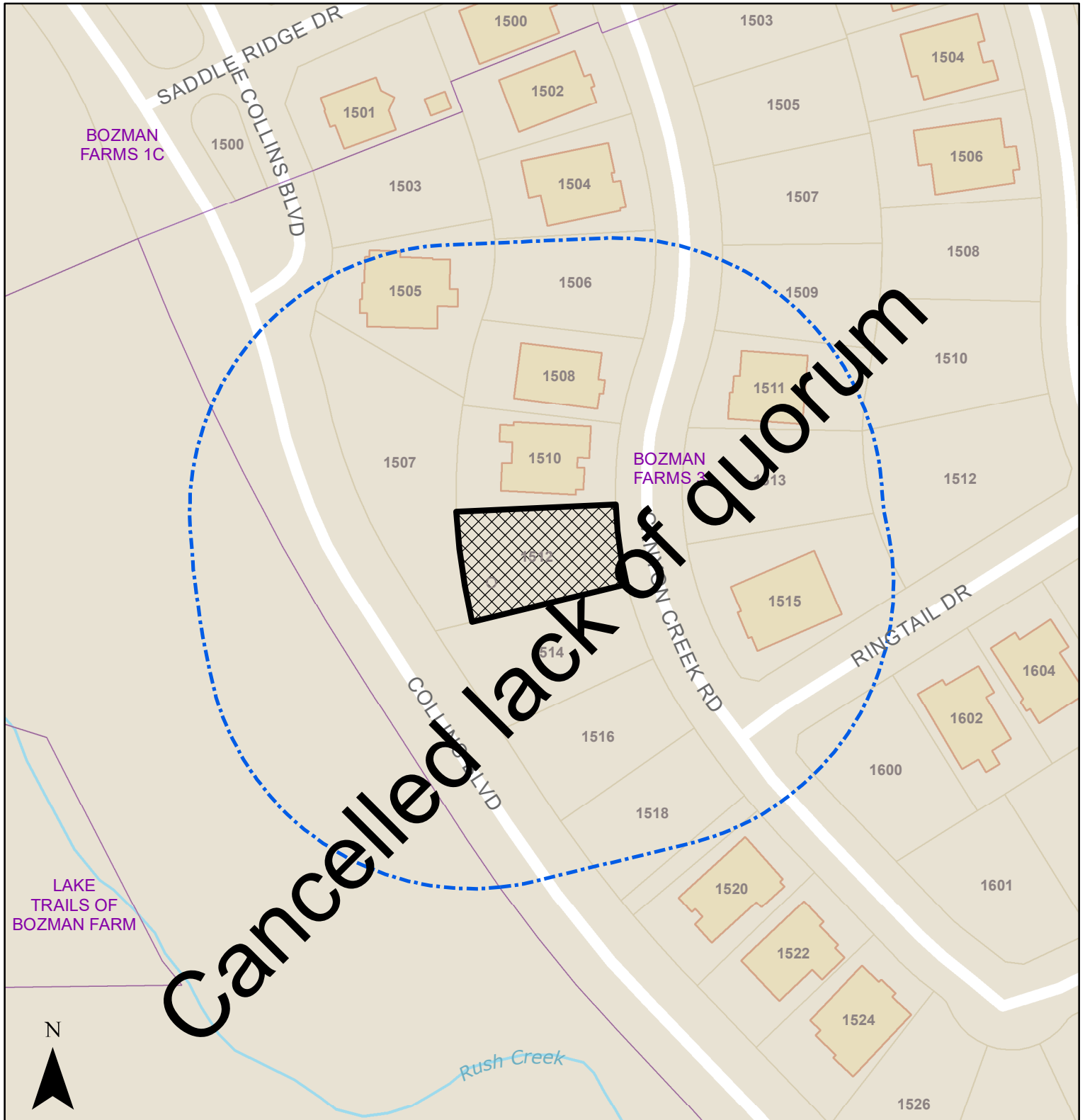
Yes

**Substrate Shed will be installed on?**

Grass

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Notification Map



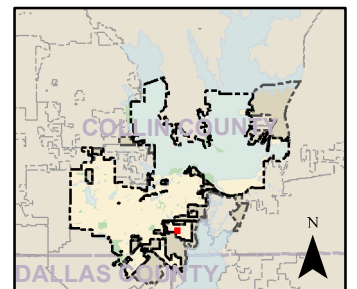
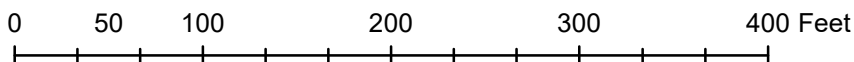
BOZMAN FARM ESTATES PHASE 3, BLK J, LOT 9



200 Foot Notification Buffer



Subject Property



## PUBLIC COMMENT FORM

(Please type or use black ink)

Planning Department  
300 Country Club Road  
Building 100  
Wylie, Texas 75098



I am **FOR** the requested variance as explained on the attached public notice for ZBA Case #2021-06.



I am **AGAINST** the requested variance as explained on the attached public notice for ZBA Case #2021-06.

Date, Location & Time of  
Planning & Zoning  
Commission meeting:

Monday, May 17, 2021 at 6:30 pm  
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name:

Abdulla M. Casey & Asma S. Ali  
(please print)

Address:

1512 Mockingbird Way  
Wylie, TX 75098

Signature:

A. Casey / Asma Ali

Date:

5/2/21

COMMENTS:

Cancelled lack of quorum



# Wylie Zoning Board of Adjustment

## AGENDA REPORT

**Meeting Date:** May 17, 2021  
**Department:** Planning  
**Prepared By:** Kevin Molina  
**Date Prepared:** May 10, 2021

**Item Number:** 3  
**Case Number:** 2021-07  
**Project Location:** 25 Steel Road  
**Subdivision Name:** Regency Business Park  
**Exhibits:** Locator Map, Site Plans, Floor Plan, Elevations, Notification Map, Comments

### Subject

Hold a Public Hearing to consider and act upon a request by Kevin Foley for a variance to 5.2.J.8 of the Zoning Ordinance to allow for an independent self-contained dwelling unit as an accessory use within the structure of an office/showroom use. Property located at 25 Steel Road. ZBA 2021-07

### Discussion

**Applicant:** Kevin Foley

**Owner:** Kevin Foley

The subject property is located at 25 Steel Road and is currently zoned within the Light Industrial District.

The applicant is requesting for the allowance of an accessory use for a caretakers quarters/ domestic or security unit that is located within the structure of a general office/showroom use.

A variance is requested as the Zoning Ordinance defines Caretakers Quarters as, "an independent, self-contained dwelling unit located on the same lot as the principal use or structure and which provides residential accommodations for a property manager or security personnel."

The applicant is asking for an interpretation on the meaning of "independent, self contained" and whether the proposal meets that definition.

The applicant has provided a floor plan which shows the proposed layout for the industrial and living spaces.

Public comment forms were mailed to nine (9) property owners within 200 feet of this request, as required by State Law. At the time of posting no comment forms were returned in favor or in opposition of the request.

**The Board shall not grant a variance to the development code which:**

- (1) Permits a land use not allowed in the zoning district in which the property is located; or
- (2) Is in the public right-of-way or on public property; or
- (3) Alters any definition of the development code; or
- (4) Is other than the minimum variance that will afford relief with the least modification possible to the requirements of the development code; or
- (5) Is based on physical conditions or circumstances of the property so general or recurring in nature as to reasonably make practicable the formulation of a general regulation to be adopted as an amendment to the development code; or
- (6) Is based exclusively on findings of personal or financial hardship.

**In order to grant a variance to the development code the Board shall find that all the following have been satisfied:**

- (1) That there are unique physical circumstances or conditions of the lot, or other exceptional physical condition particular to the affected property;
- (2) That because of these unique physical circumstances or conditions, the property cannot be reasonably developed or used in compliance with the provisions of the development code;
- (3) That due to such unique physical circumstances or conditions, the strict application of the development code would create a demonstrated hardship;
- (4) That the demonstrable hardship is not self-imposed;
- (5) That the variance if granted will not adversely affect the proposed development or use of adjacent property or neighborhood;
- (6) That the variance, if granted will not change the character of the zoning district in which the property is located;
- (7) That the variance, if granted is in keeping with the intent of the development code; and
- (8) That the variance, if granted, will not adversely affect the health, safety or welfare of the citizens of Wylie.

**Approved By**

**Department Director**

*Initial*  
JH

*Date*  
May 12, 2021

Cancelled lack of quorum



# Locator Map

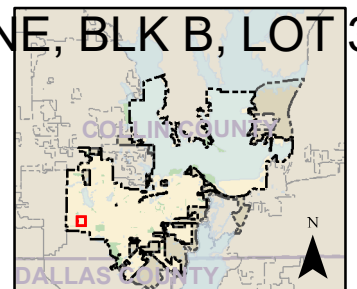


REGENCY BUSINESS PARK ADDITION PHASE ONE, BLK B, LOT 3



Subject Property

0 120 240 480 720 960 Feet





BUILDING CODE ANALYSIS:

SCOPE OF WORK: GROUND UP SITE AND BUILDING CONSTRUCTION OF A 5,250 SF FIRST FLOOR AND 576 SF MEZZANINE (TOTAL 5,826 SF) STRUCTURE LOCATED AT 25 STEEL ROAD (REGENCY BUSINESS PARK ADDITION PHASE ONE (CWY) BLOCK B, LOT 3).

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE LOCAL, COUNTY, STATE, OR FEDERAL LAW AND APPLICABLE CONSTRUCTION CODES AS CURRENTLY RECOGNIZED BY THE CITY OF WYLIE, COLLIN COUNTY, TEXAS.

ARTICLES, SECTIONS, OR TABLES REFERRED TO HEREIN ARE TAKEN FROM CODES LISTED BELOW. CONSTRUCTION MUST COMPLY WITH:

- 2015 INTERNATIONAL BUILDING CODE (IBC)
- 2015 INTERNATIONAL MECHANICAL CODE (IMC)
- 2015 INTERNATIONAL PLUMBING CODE (IPC)
- 2015 INTERNATIONAL FIRE CODE (IFC)
- 2017 NATIONAL ELECTRIC CODE (NEC)
- 2015 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)
- TEXAS ACCESSIBILITY STANDARDS
- CITY OF WYLIE ORDINANCES AND AMENDMENTS

THIS PROPERTY IS ZONED: LIGHT INDUSTRIAL

PROPOSED USE: LIGHT ASSEMBLY & FABRICATION

BUILDING CONSTRUCTION TYPE: V-B (TABLE 601)

OCCUPANCY CLASSIFICATION: (SECT 302)

B – BUSINESS OFFICE (SECT 304)

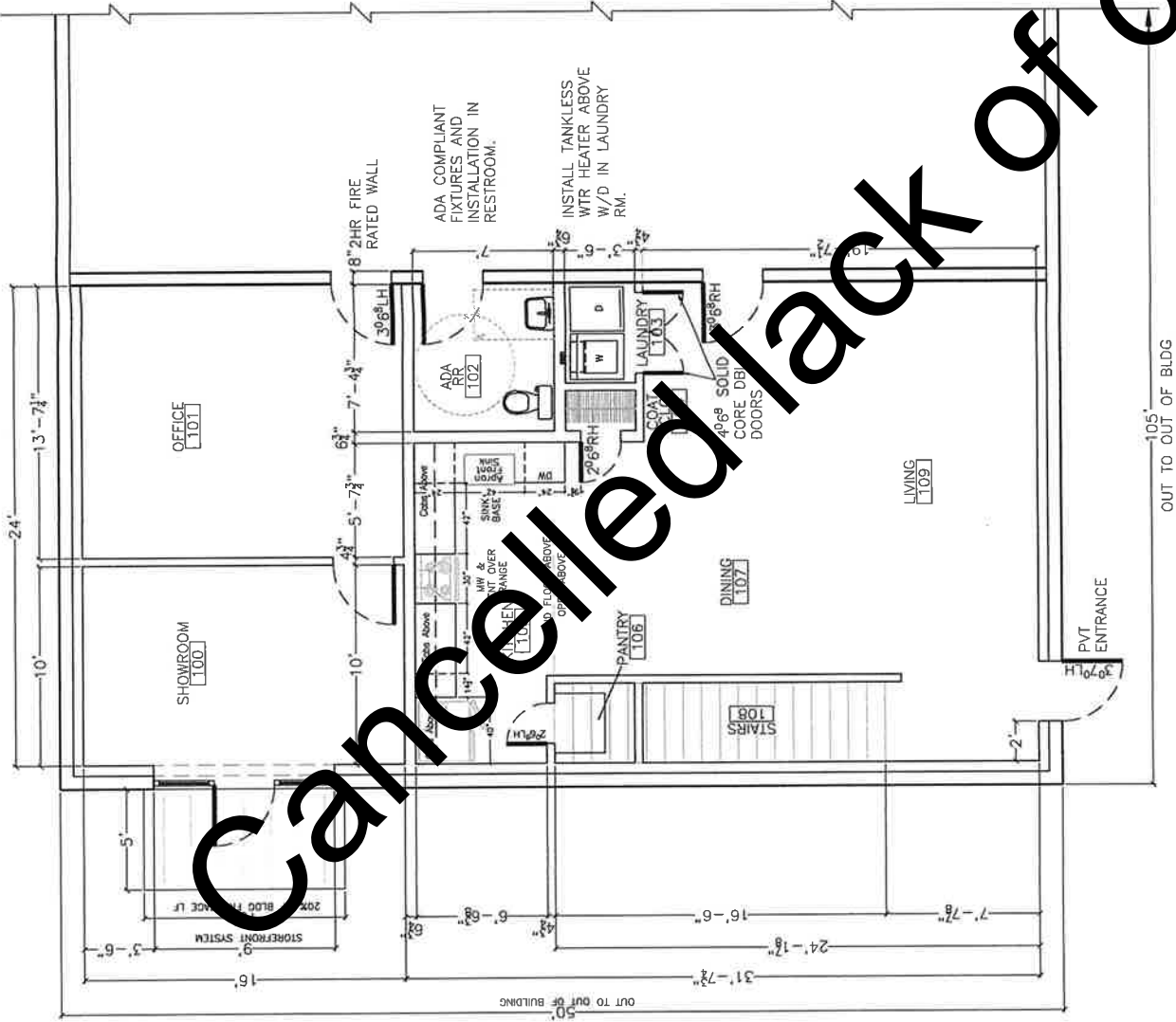
F1 – FACTORY (SECT 306)

S – STORAGE (SECT 311)

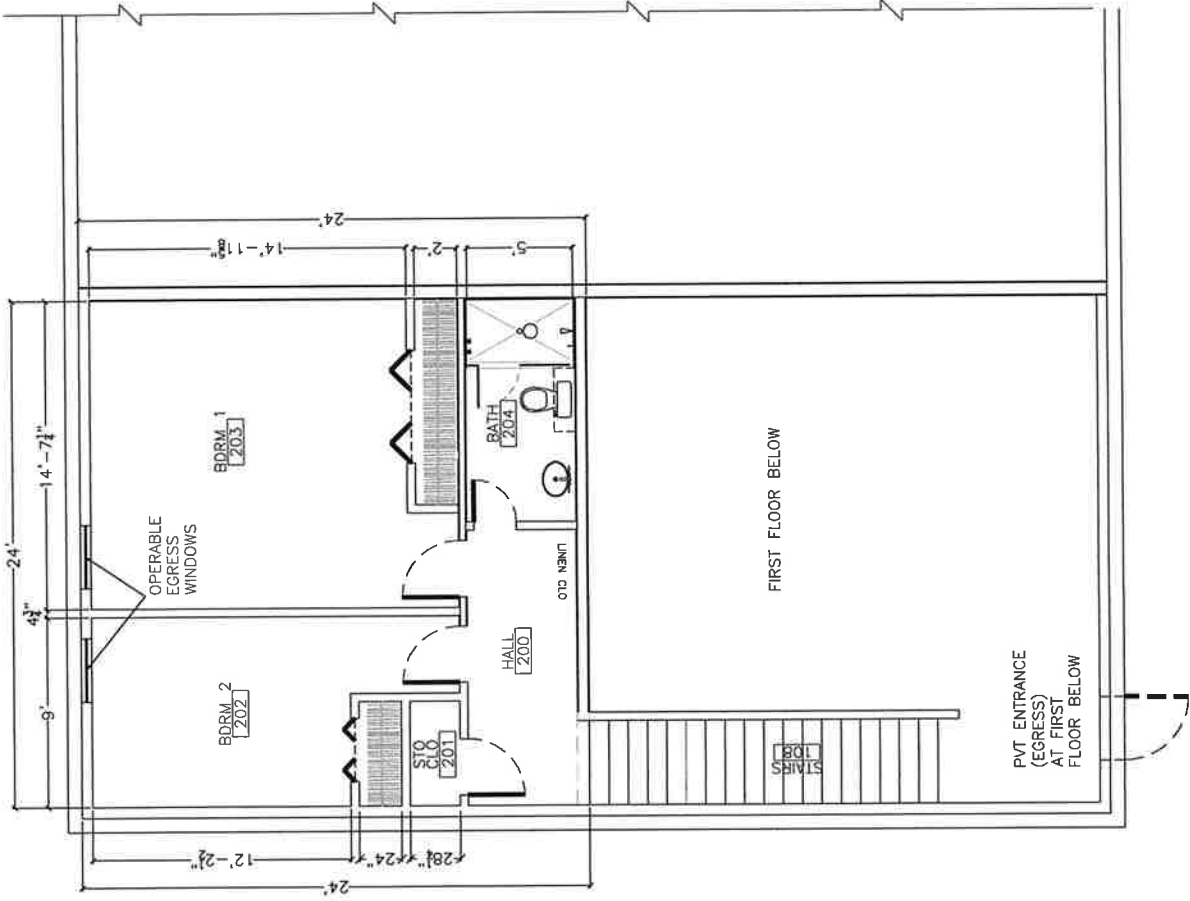
ZONING NOTES:

ARTICLE 5: USE REGULATIONS, PG 86, J. ACCESSORY USES, B. CARETAKERS QUARTERS/DOMESTIC OR SECURITY UNIT IS LISTED AS PERMITTED BY RIGHT UNDER BOTH LIGHT AND HEAVY INDUSTRIAL DISTRICTS.

CARETAKERS QUARTERS, DOMESTIC OR SECURITY UNIT (PG.124) DEFINITION: CARETAKERS QUARTERS, DOMESTIC OR SECURITY UNIT MEANS AN INDEPENDENT, SELF-CONTAINED DWELLING UNIT LOCATED ON THE SAME LOT AS THE PRINCIPAL USE OR STRUCTURE AND WHICH PROVIDES RESIDENTIAL ACCOMMODATIONS FOR A PROPERTY MANAGER OR SECURITY PERSONNEL.



FIRST FLOOR PLAN  
SCALE: 1/4" = 1'-0"



SECOND FLOOR PLAN  
SCALE: 1/4" = 1'-0"

CK METALCRAFT, LLC  
25 STEEL ROAD, CITY OF WYLIE, COLLIN COUNTY, TEXAS 75098

BETTER DESIGN RESOURCES  
P.O. BOX 1454, WYLIE, TEXAS 75098  
214-773-6460 WWW.BETTERDESIGNRESOURCES.COM  
CONCEPTUAL • DESIGN • CONST DWG PKGS • CONSTRUCTION MANAGEMENT

DRAWING REV: FOR: CONCEPT  
DRAWN BY: Bryan D. Rogers  
DATE: 04-19-2021  
SHEET A1 OF



PROJECT DIRECTORY:

CLIENT: KEVIN D. FOLEY / CK METALCRAFT LLC  
25 STEEL ROAD, WYLIE, TX 75098  
PH: 972-979-9419

**PROJECT DESIGN:**  
BRYAN D. ROGERS, BETTER DESIGN RESOURCES  
P.O. BOX 1454, WYLIE, TX 75098  
PH: 214-773-6460  
FAX: 972-429-0224

**GENERAL CONTRACTOR:**  
BETTER DESIGN RESOURCES  
P.O. BOX 1454, WYLIE, TX 75098  
PH: 214-773-6460  
FAX: 972-429-0224

**CIVIL ENGINEERING:**  
TODD D. WINTERS, P.E.  
ENGINEERING CONCEPTS & DESIGN  
205 WINDCO CIR., WYLIE, TX 75098  
PH: 972-941-8400  
FAX: 972-941-8401

**RPLS/SURVEY:**  
MATTHEW BUSBY, R.P.L.S.  
BOUNDARY SOLUTIONS INC.  
P.O. BOX 250, CADDO MILLS, TX 75135  
PH: 972-782-8472  
FAX: 972-782-7611

**M. E. P. ENGINEERING;**  
B.V. PATEL, P.E.  
8. PATEL ENGINEERING SERVICES  
804 BRIGHTON AVE., SOUTHLAKE, TX 76092  
PH: 972-717-7777

KHURSHID A. CHISHTI, P.E.  
M.E.N.P. ENGINEERS  
124 N. SPRING DR., RICHARDSON, TX 75038

**STRUCTURAL ENGINEERING:**  
IGOR TEPLITSKIY, P.E.  
NORTEX DESIGNS  
4416 KELLER HICKS RD., FT.WORTH, TX 76244  
PH: 817-379-0866

GENERAL NOTES:

1. ARTICLES, SECTIONS, OR TABLES REFERRED TO HEREIN ARE TAKEN FROM CODES LISTED BELOW. CONSTRUCTION MUST COMPLY WITH:
  - 2015 INTERNATIONAL BUILDING CODE (IBC)
  - 2015 INTERNATIONAL MECHANICAL CODE (IMC)
  - 2015 INTERNATIONAL PLUMBING CODE (IPC)
  - 2015 INTERNATIONAL FIRE CODE (IFC)
  - 2017 NATIONAL FIRE CODE (NEC)
  - 2017 NATIONAL ELECTRIC CODE (NEC)
  - 2015 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)
  - TEXAS ACCESSIBILITY STANDARDS
  - CITY ORDINANCES AND AMENDMENTS
2. NO APPURTENANCE BETWEEN THE HEIGHT OF 2' AND 9' MAY BE PLACED WITHIN THE VISIBILITY TRIANGLES.

## LANDSCAPE NOTES:

1. LOT = 0.650 AC OR APX 28,314. SF  
LANDSCAPE REQUIRED 10% OR 2,831 SF  
LANDSCAPE AREA PROVIDED = 5,447 SF
2. APX 23% LOT COVERAGE
3. NO TREES LISTED ON THE CITY DESIRABLE  
CURRENTLY EXIST ON THE SITE.

## Site Design Requirements

Element	Base Standard (All development must comply fully with all listed below)	Desirable (Each development must select 4 of the 8 desirables listed below)
Building placement	<ol style="list-style-type: none"> <li>Entrances and /or facades oriented to the street.</li> <li>Building footprints no greater than 20,000 square feet in NS and CR Districts.</li> <li>Multiple buildings placed to create plazas, courtyards, landscaped areas w/connecting walkways.</li> <li></li> </ol>	<p><input type="checkbox"/> 1. Building at the front yard line.</p> <p><input checked="" type="checkbox"/> 2. Individual buildings w/footprints = or &lt; 10,000 square feet.</p> <p><input checked="" type="checkbox"/> 3. Front facade oriented to the street.</p>
Parking placement	<ol style="list-style-type: none"> <li>Parking spaces at least 10' from residential lot line.</li> <li></li> <li></li> <li></li> </ol>	<p><input checked="" type="checkbox"/> 1. Site plan with no more than 50% of parking in front of the building.</p> <p><input checked="" type="checkbox"/> 2. Building with no more than one row parking in front.</p>
Access drives	<ol style="list-style-type: none"> <li>Minimum width drive of 24'; turning radius of 25'.</li> <li>Access drive at least 150' from intersection.</li> <li>Access drives serving developments greater than 30,000 sq.ft, shall have separated median or be separated at least 150' from each other.</li> <li>Landscaped treatment of entrances.</li> </ol>	<p><input type="checkbox"/> 1. Combined access points with adjacent tracts.</p> <p><input type="checkbox"/> 2. Direct connection between buildings and street.</p>
Location of service and loading areas.	<ol style="list-style-type: none"> <li>Service and loading areas shall not be visible from a public street or adjacent residential lot.</li> <li>Developments unable to meet the above are required to have masonry screening walls w/gates.</li> </ol>	<p><input checked="" type="checkbox"/> 1. Not visible from public street but provide masonry screening.</p>

## Landscaping Design Requirements

Element	Base Standard (All development must comply fully with all listed below)	Residential (All development must select 4 of the 8 desirables listed below)
Landscaping in required yards	<ol style="list-style-type: none"> <li>At least 20 % of site shall be landscaped in NS, CR, CC, &amp; BG Districts; 10% of site in CR &amp; CC Districts for single buildings of 100,000 sq or more; 10% of site in LI and HI Districts.</li> <li>Landscaping is required in the front yard.</li> <li>Landscaping is required in side and rear yards adjacent to, or across the street from residential.</li> </ol>	<ol style="list-style-type: none"> <li>Landscaping that exceeds the minimum by 10%.</li> <li>Landscaping in side and rear yard not otherwise required.</li> </ol>
Landscaping of parking lots	<ol style="list-style-type: none"> <li>Site plans requiring more than 12 spaces required to have 50 sq.ft. of landscaping per space.</li> <li>No parking space further than 60' from landscaped area on site.</li> <li>Parking rows 12 spaces or longer shall have landscaped islands at end.</li> <li>All parking rows shall have landscaped areas at least every 12 spaces.</li> </ol>	<ol style="list-style-type: none"> <li>Landscaping that is 50 sq.ft. or more in excess of 50 sq.ft./space.</li> <li>Parking lot with no space further than 40 feet from a landscaped area.</li> <li>Landscaped pedestrian connection to main entrance.</li> </ol>
Visual screening	<ol style="list-style-type: none"> <li>Required screening in strip at least 5' wide, plants 3' in height when planted, include one flowering tree for every 20 linear feet of area.</li> <li>At least 50% of required front yard developed as landscaped buffer, at least 10' in width.</li> <li>Trees required in buffer, in groves or belts on a 30 - 40' spacing.</li> <li>Required trees at least 3" in caliper.</li> <li>At least 4' meandering concrete walkway on perimeter when adjacent to thoroughfare.</li> </ol>	<ol style="list-style-type: none"> <li>Use of rock walls or other natural landscape features.</li> <li>Increase in minimum width of landscape buffer by 20%.</li> <li>Provision of special benches, pedestrian lighting and other streetscape elements.</li> </ol>

### SITE DATA SUMMARY:

SYNOPSIS: GROUND UP CONSTRUCTION OF A NEW 5,500 SF STRUCTURE, ASSOCIATED UTILITIES, PARKING, AND FIRE LANE. ON REGENCY BUSINESS PARK ADDITION PHASE ONE (CWV) BLK B, LOT 3. LOCATED AT 25 STEEL ROAD CITY OF WYJIC. COLLIN COUNTY, TEXAS 75098.

CURRENTLY ZONED: LIGHT INDUSTRIAL (NO CHANGES)

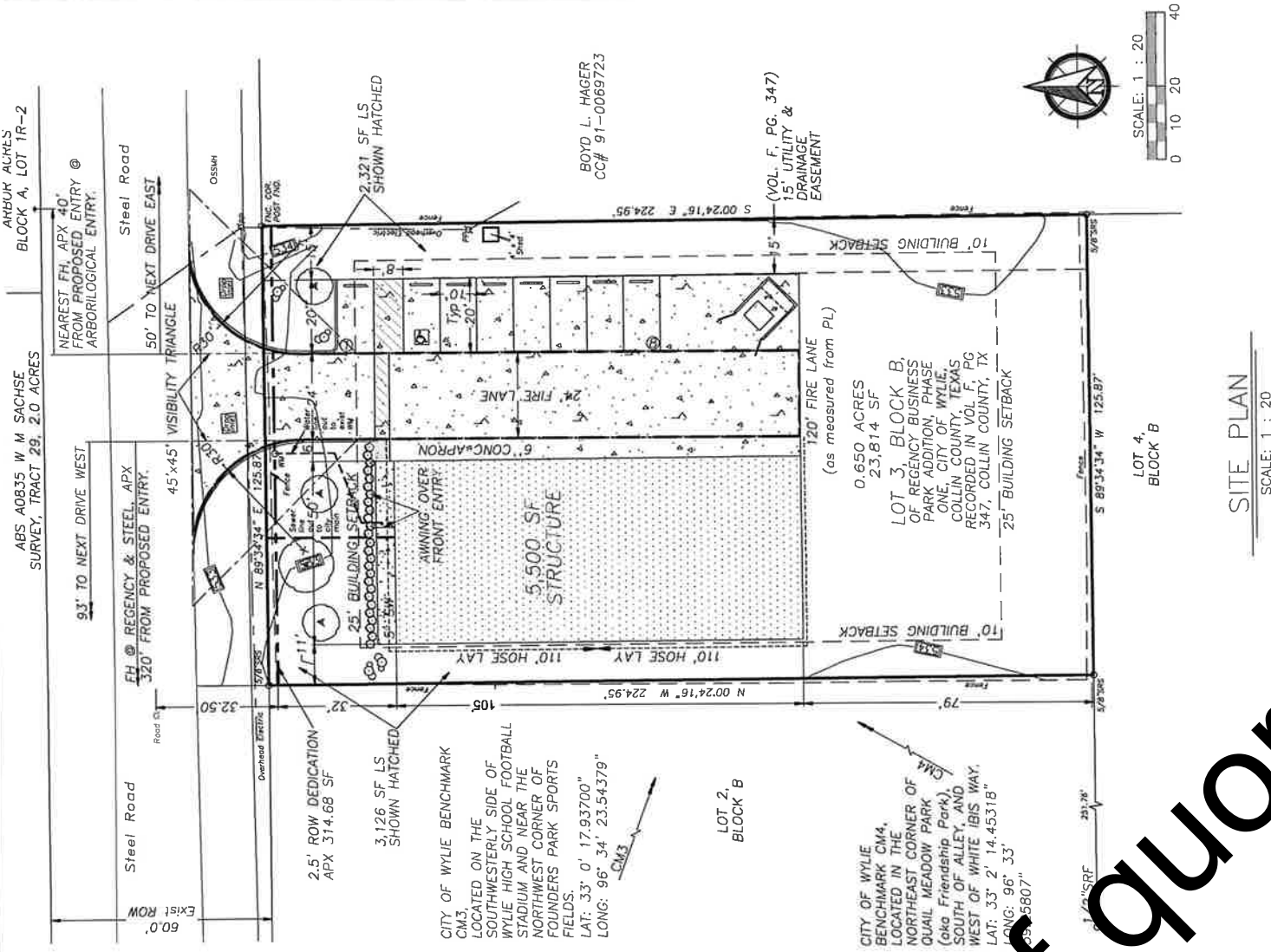
PROPOSED USE: LIGHT ASSEMBLY AND FABRICATION

**PARKING REQUIREMENTS:**

REQUIRED: 5,500 SF @ 1:1,000 = (5.5) 6  
PROVIDED: 8, INCLUDING 1 VAN ACCESSIBLE HC SPACE

## VICINITY MAP

SCALE = NONE



# SITE PLAN

SCALE: 1 : 20

LOT 4,  
BLOCK B

CK METALCRAFT, LLC  
25 STEEL ROAD, CITY OF WYLIE, COLLIN COUNTY, TEXAS 75098

**BETTER DESIGN RESOURCES**  
P.O. BOX 1454, WYLLIE, TEXAS 75098  
214-773-6460 [www.BetterDesignResources.com](http://www.BetterDesignResources.com)  
CONCEPTUAL • DESIGN • CONSTRUCTION MANAGEMENT

DRAWING REV:  
FOR:  
CONSTRUCTION

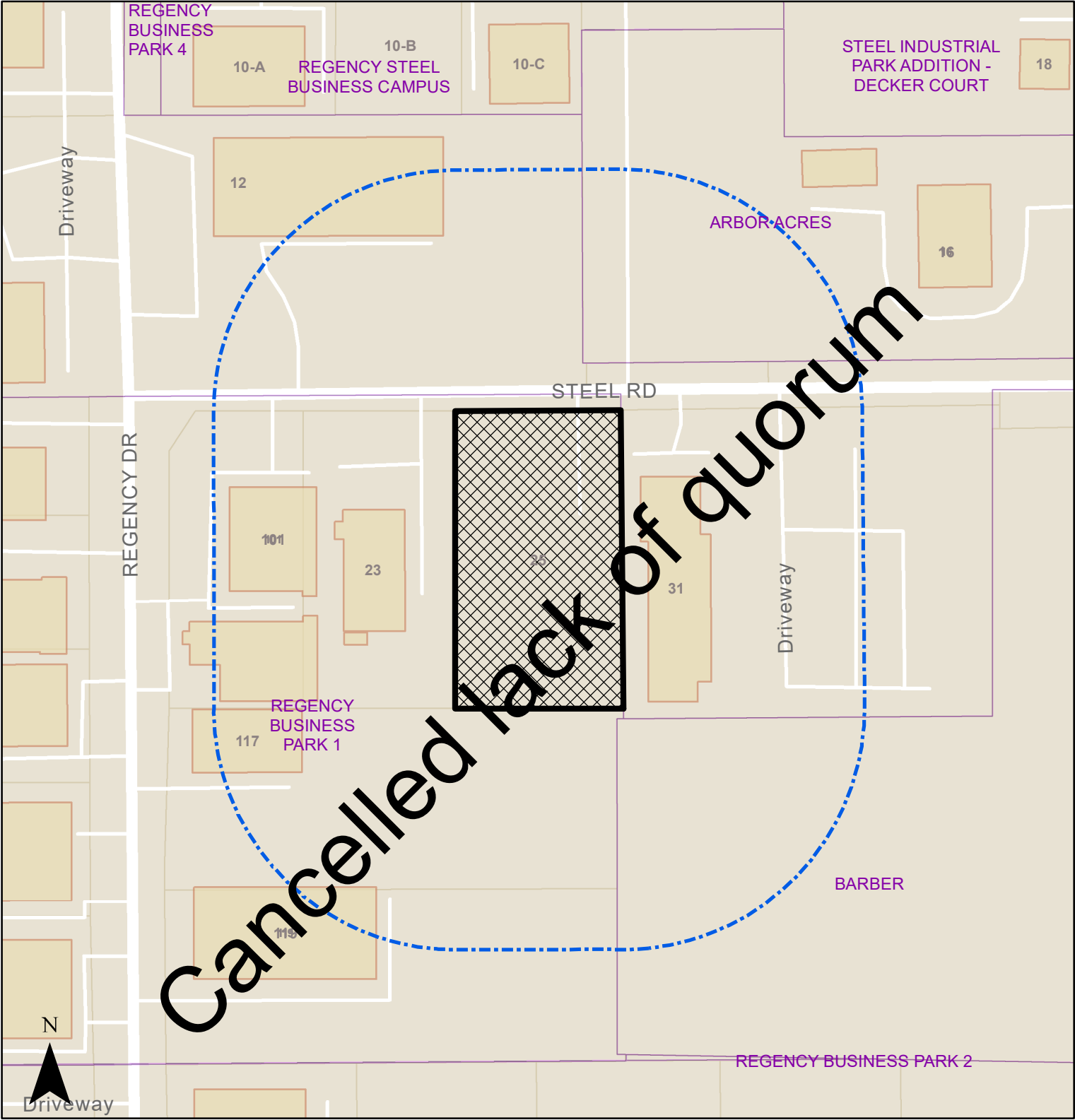
**DRAWN BY:**  
**Bryan D. Rogers**

DATE: 01-29-2021



SHEET  
C1  
OF



# Notification Map



## REGENCY BUSINESS PARK ADDITION PHASE ONE, BLK B, LOT 3

 200 Foot Notifcation Buffer  Subject Property

